

# United States Bankruptcy Court District of Rhode Island

## AMENDMENTS TO THE FEDERAL RULES OF BANKRUPTCY PROCEDURE EFFECTIVE DECEMBER 1, 1999

The following Federal Rules of Bankruptcy Procedure are being amended effective December 1, 1999: Rules 1017, 1019, 2002, 2003, 3020, 3021, 4001, 4004, 4007, 6004, 6006, 7001, 7004, 7062, 9006 and 9014.

The following amendments reflect the most significant changes in the above rules. For a complete copy of the amendments, please visit our website at [www.rib.uscourts.gov](http://www.rib.uscourts.gov) or obtain a hard copy in the Clerk's Office public area.

1. **A ten (10) day automatic stay will go into effect upon the following:**
  - a) an order confirming a chapter 9 or chapter 11 plan; *See, FRBP 3020(e)*.
  - b) an order granting relief from the automatic stay; *See, FRBP 4001(a)(3)*.
  - c) an order authorizing the use, sale or lease of property, other than cash collateral, *See, FRBP 6004(g)*.
  - d) an order authorizing the trustee to assign an executory contract or unexpired lease under §365(f); *See, FRBP 6006(d)*.
2. **Notice shall only be sent to the debtor, the trustee and any other entity specified by the court upon the following:**
  - a) United States Trustee's motion to dismiss a voluntary chapter 7 or chapter 13 case for failure to timely file a list of creditors, schedules and statement of financial affairs; *See, FRBP 1017*
  - b) The hearing on the dismissal of a chapter 7, 11 or 12 case for failure to pay the filing fee; *See, FRBP 2002(a)(4)*
  - c) The hearing on the dismissal or conversion of a chapter 7, 11 and 12 case, unless pursuant to §707(a)(3) and §707(b).
3. **A sixty (60) day deadline is imposed after the first date set for the meeting of creditors, whether the meeting is held or not upon the following:**
  - a) Filing a complaint objecting to discharge under §727(a) of the Code; *See, FRBP 4004(a)*
  - b) Filing a complaint to determine dischargeability of a debt under § 523(c) of the Code; *See, FRBP 4007*
4. **An adversary proceeding is not necessary to obtain injunctive or other equitable relief when the relief is provided for in a chapter 9, chapter 11, chapter 12 or chapter 13 plan; *See, FRBP 7001***